

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
KING VISION PAY-PER-VIEW CORP., LTD.,

03 CV 1433 (NG) (RML)

ORDER

Plaintiff,

- against -

**CAPRICHO'S TAVERN, INC. d/b/a SELENA
SPORTS BAR and GUILLERMO RESTREPO,**

Defendants.

-----X
GERSHON, United States District Judge:

The unopposed report and recommendation of Magistrate Judge Robert M. Levy, dated April 5, 2005, that plaintiff be awarded \$11,500 in statutory damages, \$1,480 for attorney fees, and \$511 for costs, resulting in a total award of \$13,491, is hereby adopted by the court.

Plaintiff is not, however, granted leave to submit further documentation concerning photocopying charges. Considerations of efficiency and fairness militate in favor of a full evidentiary submission for the magistrate judge's consideration, and it is within my discretion to refuse to allow supplementation of the record upon my *de novo* review. *See Hynes v. Squillace*, 143 F.3d 653, 656 (2d Cir. 1998). Proceedings before the magistrate judge are not a trial run, after which litigants should feel free to add "to the record in bits and pieces depending upon the rulings or recommendation they receive[]." *Id.* (quoting *Wallace v. Tilley*, 41 F.3d 296, 302 (7th Cir. 1994)).

The Clerk of Court is directed to enter judgment for plaintiff.

SO ORDERED.

/S/
NINA GERSHON
United States District Judge

Dated: Brooklyn, New York
May 12, 2005